Approved For Release 2006/11/16 : CIA-RDP75B00380R000300110012-8

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

OLC 73-0016/A

29 January 1973

Honorable Edward I. Koch
House of Representatives
Washington, D. C. 20515

Dear Mr. Koch:

This is in response to your letter to Mr. Helms of 28 December 1972, regarding a New York Times story describing some briefings which the Central Intelligence Agency has provided to the New York Police Department, and to your request during our telephone conversation on the same subject on 23 January 1973.

Regarding the first question in your letter, I do not have a precise figure but I can assure you that less than fifty police officers all told, from a total of about a dozen city and county police forces have received some kind of Agency briefing within the past two years.

These briefings have covered a variety of subjects such as the procedures for the processing, analyzing, filing and retrieving information, security devices and procedures, and metal and explosives detection techniques.

These briefings have been provided at no cost to the recipients. Since they have been accomplished merely by making available, insofar as their other duties permit, qualified Agency experts and instructors the cost to the Agency is minimal.

All of these briefings have been conducted in response to the requests of the various recipients. The Agency intends to continue to respond to such requests on matters within its competence and authority, and to the extent possible without interfering with its primary mission.

MORI/CDF

CRC, 3/3/2003

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Regarding the Agency's authority to conduct such briefings, the National Security Act of 1947 (P. L. 80-253, as amended) specifically provides that "the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions." We do not consider that the activities in question violate the letter or spirit of these restrictions. In our judgment, they are entirely consistent with the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (P. L. 90-351, 42 U.S.C.A. 3701 et seq). In enacting that law it was the declared policy and purpose of Congress "to assist State and local governments in strengthening and improving law enforcement at every level by national assistance" and to "...encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals" (42 U.S.C.A. 3701). By the same law Congress also authorized the Law Enforcement Assistance Administration to use available services, equipment, personnel and facilities of the Department of Justice and of "other civilian or military agencies and instrumentalities" of the Federal Government to carry out its function (42 U.S.C.A. 3756).

The identities of the individual police forces which have attended these briefings have, by mutual agreement, been kept confidential and I would therefore appreciate your treating the information I gave you in our conversation regarding these identities accordingly.

I trust the foregoing information is responsive to your interests, and I will be glad to discuss the matter with you further if you so desire.

Sincerely,

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[redacted]

John M. Maury
Legislative Counsel

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